

Department of Permits Approvals and Inspections
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No. 87141

Qihua Chen

8209 Harris Avenue

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on January 12, 2011 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-112, 115, 310, 312, 35-5-302 (b)(1)(5); Baltimore County Zoning Regulations (BCZR) section 101, 102.1, 1B01.1A, 1B01.1D, failure to cease contractor's equipment storage yard, failure to cease open dump and junk yard conditions, failure to maintain exterior structure (shed) in good repair on residential property.

On December 20, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector Kim Wood issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$6,000.00 (six thousand dollars).

The following persons appeared for the Hearing and testified: Qihua Chen, Respondent and, Kim Wood, Baltimore County Code Enforcement Officer.

Correction Notices for the same violations were issued May 17, 2007 and April 7, 2008. This Correction Notice was issued November 23, 2010 to remove all building materials from the yard, to remove all kitchen equipment from the yard, to finish construction on the shed. (must be completed and weather tight). A Citation was issued December 20, 2010.

2.

Testimony and evidence offered at the Hearing demonstrated that the Respondent is guilty of operating a contractor's equipment storage yard and operating an open dump. The Respondent indicated that he would clean up the property and finish all work on his buildings.

Having considered the testimony and evidence presented:

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$6,000.00 (six thousand dollars).

IT IS FURTHER ORDERED that \$5,950.00 of the \$6,000.00 civil penalty be suspended, with an immediate \$50.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$5,950.00 will be imposed if the property is not brought into compliance by February 20, 2011.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 8TH day of February 2011

Signed: ORIGINAL SIGNED
Timothy Kotroco
Baltimore County Hearing Officer

NOTICE TO RESPONDENT NOTICE TO RESPONDENT: The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.